# WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL DONALD F. FREI DAVID J. JOSEPHIC DAVID S. STALLARD J. ROBERT CHAMBERS J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNGER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL THOMAS W. FLYNN JOHN D. POFFENBERGER

2700 CAREW TOWER

441 VINE STREET

**CINCINNATI, OHIO 45202-2917** 

TELEPHONE: 513-241-2324

FACSIMILE: 513-421-7269

EMAIL: info@whepatent.com PATENT, TRADEMARK, COPYRIGHT

AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968 TRUMAN A. HERRON 1935-1976 EDWARD B. EVANS 1936-1971

March 22, 2006

JOSEPH R. JORDAN

C. RICHARD EBY

DAVID E. PRITCHARD
DAVID E. PRITCHARD
CENTRAL FAX CENTER KATHRYN E. SMITH
DAVID E. JEFFERIES
MAR 2 2 2008 JOHN P. DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, Ph.D.

STEVEN W. BENINTENDI, Ph.D. RANDALL S. JACKSON, JR.

**TECHNICAL ADVISOR** HENRY M. LABODA, PH.D.

## **FACSIMILE COVER SHEET**

To: Central Fax Number

U.S. Patent and Trademark Office

571-273-8300 Fax:

From: Dr. Beverly A. Lyman, Ph.D.

Power of Attorney and Correspondence

Address Indication Form directed to U.S. Patent Application Serial No. 10/798,486 directed to NOVEL

ULTRASOUND CONTRAST AGENTS

Inventor: Cantrell Our Ref: MRD-132

Pages: 4 (including cover sheet)

### MESSAGE/COMMENTS

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 421-7269.

RECEIVED CENTRAL FAX CENTER

MAR 2 2 2006

#### Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office Central Facsimile Number (571) 273-8300.

March 22, 2006

Date

Serial No

10/798,486 March 11, 2004

Filed Applicant

Cantrell

Title

**NOVEL ULTRASOUND CONTRAST AGENTS** 

Examiner

Attorney Docket #

MRD-132

March 22, 2006

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# POWER OF ATTORNEY AND CORRESPONDENCE ADDRESS INDICATION FORM

In compliance with 37 C.F.R. § 1.36, attached is an executed Power of Attorney and

Correspondence Address Indication Form, and Statement of Ownership under 37 CFR § 3.73(b).

Please address all correspondence to:

Beverly A. Lyman, Ph.D.

Address of customer number 26875

Telephone:

513 241 2324

Facsimile:

513 241 6234

Date 3/22/2006

Beverly A. Lyman, Ph.D. Reg. No. 41,961

CENTRAL FAX CENTER

MAR 2 2 2006

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## **POWER OF ATTORNEY** and **CORRESPONDENCE ADDRESS INDICATION FORM**

Under the Paperwork Reduction Act of 1995, no persons are re-	quired to respond to a collection of info	ormation unless it displays a valid OMB control number.		
POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/798,486		
	Filing Date	March 11, 2004		
	First Named Inventor	Gary L. Cantrell		
	Title	NOVEL ULTRASOUND CONTRAST AGENT		
	Art Unit	NOT AVAILABLE		
INDICATION FORM	Examiner Name	NOT AVAILABLE		
	Attorney Docket Number	1159.1 US		

l her	eby revoke a	II previo	ous powers of attorney gi	ven in the ab	ove-ide	entified applic	ation.				
l her	eby appoint:										
	Practitioners as	sociated	with the Customer Number:		26,	875					
ر تا	OR		Mar bio Gastomor Hambor.								
	Practitioner(s) named below:										
			Name			Registra	egistration Number				
			<del></del>								
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.											
Please	e recognize or cl	hange the	correspondence address for t	the above-identi	fied appli	cation to:	,				
			ed with the above-mentioned C								
	OR			AUSTONIO: TYGIND	-1-		7				
~	The address associated with Customer Number:										
, , ,	OR										
	Firm or Individual Name										
	Address										
	City					· · · · ·					
	City				State			Zip			
	Telephone				Email						
l am t	he:										
	Applicant/Inve	entor.									
Assignee of record of the entire interest. See 37 CFR 3.71.  Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)											
SIGNATURE of Applicant or Assignee of Record											
Signat	nte	Kem					Date	16 March 06			
Name	od Company	Kenneth D. Goetz						314-654-3778			
Title and Company Assistant Secretary for Mallinckrodt Inc.											
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.											
*Total of forms are submitted.											
			are submitted.								

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# RECEIVED

#### IN THE UNITED STATES PATENT & TRADEMARK OFFICE

CENTRAL FAX CENTER

MAR 2 2 2006

In Re the Application of: CANTRELL, GARY L.

Serial No.: 10/798,486

Filed: March 11, 2004

Atty. File No.: 1159.1US

Conf. No.: 6296

Title: Novel Ultrasound Contrast Agents

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

#### CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO COMMISSIONER FOR
PATENTS, PO BOX 1400, ALEXANDRIA, VA 22313-1450 ON NOVEMBÉR 1, 2005.

#### STATEMENT OF OWNERSHIP UNDER 37 CFR §3.73

)

)

) )

)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

On 10/12/2005, Mallinckrodt Inc., the assignee of the above-referenced patent application, submitted a completed Form PTO/SB/82 (attached) to the USPTO requesting that the previous power of attorney be revoked and appointing practitioners with the Customer Number 24,289 as the new power of attorney. The Office responded to that request with a Notice (dated 10/21/2005) stating that Mallinckrodt had failed to submit a "Certificate required by 37 CFR 3.73(b)" establishing Mallinckrodt's ownership of the application.

In response to the Office's Notice (attached), and in accordance with the requirements of 37 CFR §3.73(b), Mallinckrodt states that it is the owner of the entire right, title, and interest in and to the above-referenced patent application. In support of the previous statement, documentary evidence in the form of a recorded assignment can be found at reel 011762 and frame 0169.

Accordingly, it is respectfully requested that the Office approve the original request for revocation of the previous power of attorney and appointment of practitioners with the Customer Number 24.289 as the new power of attorney.

While no fee is believed to be due for submission of this correspondence, please charge any fee deemed necessary to Deposit Account 13-1160. In addition, please feel free to contact the undersigned at any time with questions, comments &/or concerns regarding this Statement or any supporting documents.

Respectfully submitted

Jerad G. Seurer (Reg. No. 45,467)

Mallinckrodt Inc. 314-654-3814 314-654-3156 fax

jerad.seurer@tycohealthcare.com